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Virginia prison under scrutiny

**WOMEN'S PRISON
OFFICIALS TESTIFY; SURVEY
FINDS HIGHER INCIDENCE
OF RAPES AT THREE SITES**

BY JESSICA GRESKO
ASSOCIATED PRESS

WASHINGTON—The leaders of a Virginia prison with one of the highest reported percentages of inmate rape and sexual misconduct in the country said yesterday they have worked to correct the problem with management changes and more investigators and cameras.

The officials from Fluvanna Correctional Center for Women, the largest prison for women in Virginia, testified before a Department of Justice panel created to examine sexual victimization in prisons and jails across the country. Also facing scrutiny by the panel are two men's prisons, one in Wichita Falls, Texas, and another in Elmira, N.Y.

A national survey of inmates released in 2010 found that all three prisons had higher than average rates of sexual victimization, whether between inmates or inmates and staff. On average, 4 percent of prisoners reported experiencing sexual victimization in prison, ranging from rape to inappropriate touching during pat downs or strip searches.

Melissa Andrews, a former inmate at Fluvanna, testified that when she was at the prison, women would have sex with officers in bathrooms or closets where there were no cameras. She also described sex between officers and inmates as an "exchange of services."

"Women would allow these officers to have sexual relations with them because they were lonely, wanted a better job, wanted more privileges, wanted less consequences for infractions, or just something to do," said



Wendy Hobbs, warden of Fluvanna Correctional Center for Women in Troy, and Maj. Michael Frame attend the hearing about rape and sexual misconduct in U.S. prisons.

Andrews, who spent more than eight years in Virginia prisons for robbery and other charges and said she was sexually assaulted by her roommate while at one prison.

Officials from Fluvanna said they have made changes since survey data collected in 2008 and 2009 found 11 percent of inmates reported being sexually victimized by other inmates and six percent of inmates reported being sexually victimized by staff. More female investigators have been added to oversee allegations, some previously unlocked doors have been locked and more cameras have been installed, officials said. Fluvanna's warden, Wendy Hobbs, said she knows her institution is not perfect but is working to fix problems.

"We take these matters very seriously, and we act on them immediately," said Hobbs, who has been at Fluvanna for the last 16 months and oversees ap-

proximately 1,200 female inmates.

Hobbs said she walks around the institution without an entourage and encourages inmates to talk with her. Hobbs took over for former warden Barbara Wheeler, who retired amid allegations that the prison discriminated against gay inmates, including segregating them in a single wing.

The three-member panel holding hearings this week in Washington was created by the Prison Rape Elimination Act of 2003. The law mandates an annual survey of inmates on sexual victimization and a review of that data by the panel.

The panel will hear from officials from the James V. Allred Unit in Wichita Falls, Texas, and the Elmira Correctional Facility in Elmira, N.Y., today. The report found that at the Texas prison, 7.6 percent of inmates reported experiencing being sexually victimized by another inmate. At the Elmira facility,

an estimated 7.7 percent of inmates reported staff sexual misconduct.

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Exhibit A



VIRGINIA DEPARTMENT OF CORRECTIONS

866.1 A-7

DOC Location: Central Regional Office

Report Generated by Bryant, Anita

Report run on 7/27/2011 at 11:09 AM

Offender Grievance Response - Level II

Offender Name	DOC#	Location	Grievance Number
De'lonta, Opheila A	1014174	Current Buckingham Correctional Center	BKCC-11-REG-00095
Housing		Filed Buckingham Correctional Center	
B-1-114-B			

LEVEL II: REGIONAL DIRECTOR, HEALTH SERVICES DIRECTOR OR CHIEF OF OPERATIONS FOR OFFENDER MANAGEMENT SERVICES RESPONSE (To be completed and mailed within 20 calendar days)

Your grievance appeal has been reviewed along with the response from the Level I respondent and your original complaint.

Based on the information provided, I am upholding the decision of the Level I respondent, which has determined that your grievance is **unfounded**.

On June 14, 2011, Regional Ombudsman A. Bryant met with you to get clarification on what your grievance issue was about. You informed her that your issue was regarding Officer S. Pruitt displaying inappropriate sexual behavior towards you. The information you provided was released to the Special Investigations Unit for investigation into your allegations. Per the Special Investigations Unit, an investigation into your allegations revealed that there was no evidence to support your claim that you were touched in a sexual manner by Officer S. Pruitt. As a result, I find no violation of policy.

In accordance with Operating Procedure 866.1, Offender Grievance Procedure, this is your last level of appeal. You have exhausted all administrative remedies.

If you are dissatisfied with the Level II response, you may appeal within 5 calendar days to:

<i>Chene Davis for S.K. Washington</i>	7-27-11
	Date

I wish to appeal the Level II response because:

Offender Signature	Date



VIRGINIA DEPARTMENT OF CORRECTIONS

866.1 A-6

**Offender Grievance Response -
Level I**

DOC Location: Buckingham Correctional Center

Report Generated by Meinhard, Stacy

Report run on 5/25/2011 at 1:22 PM

Offender Name	DOC#	Location	Grievance Number
De'lonta, Opheila A	1014174	Current Buckingham Correctional Center	BKCC-11-REG-00095
Housing		Filed Buckingham Correctional Center	
B-1-114-B			

LEVEL I: WARDEN/SUPERINTENDENT'S RESPONSE (To be completed and mailed within 30 calendar days)

You state in your grievance after speaking with Psychologist Lang on 4/13/2011 it has been revealed that there had been sexual abuse by staff towards you which is a violation of policy.

As a result of this grievance you would like policy and procedure to be followed.

According to your Informal Complaint response from Major Davis, this matter is being investigated by Special Agent Watson.

An investigation into this matter indicates that you met with Psychologist Lang, Major Davis, Sergeant Webber and Special Agent Watson regarding your allegations on 4/13/2011. Major Davis, being the Administrative Duty Officer ordered your property to be secured for investigation and moved you to N1-106 - Special Housing Unit.

Per Operating Procedure 038.3 Sexually Abusive Behavior Prevention and Intervention/Page 7-Supervisor Responsibility after Receiving Report of Abuse:

The Organizational Unit Head or Administrative Duty Officer shall immediately initiate necessary action, or verify that action has been taken, to protect all physical evidence and the safety and welfare of the offender. The Organizational Unit Head or Administrative Duty Officer may make a temporary administrative reassignment of the victim and/or perpetrator to protect the offender or offenders involved. An investigation shall be conducted and documented.

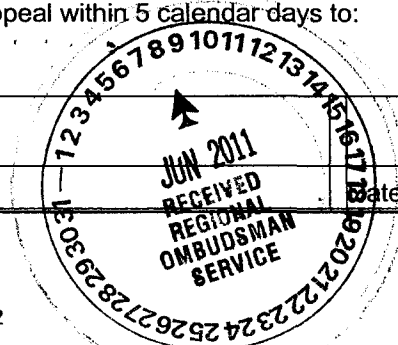
Any behavior of a sexual nature between employees and offenders are prohibited. However, the staff member involved in this alleged incident is away from the institution for an undetermined amount of time; therefore the investigation is not yet complete.

After thoroughly reviewing the information in response to your complaint and the Operating Procedure governing the issue, your grievance is unfounded at this time until we are able to determine through Internal Affairs the validity of your allegations.

If you are dissatisfied with the Level I response, you may appeal within 5 calendar days to:

3521 Woods Way
State Farm, VA 23160

[Signature] Date 6/2/11



I wish to appeal the Level I response because: I was sexually assaulted by an officer, policy and procedure affords me a complete investigation by internal affairs. I'm not being afforded my due process rights. Nor is the investigation complete, however warden Edmonds has ^{pre}determined my grievance is unfounded? before the investigation is complete essential stating this incident never happened.

Offender Signature	Ophelia Dintin	Date	6-6-11
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VIRGINIA DEPARTMENT OF CORRECTIONS
Regular Grievance

TO Grievance Office
4-20-11

Effective Date: November 1, 2007
Operating Procedure #866.1 Attachment #2

REGULAR GRIEVANCE BKCC-11-REG-00095

Log Number: _____

De'lonta	Ophelia	1014174	N-1	106
Last Name	First	Number	Building	Cell/Bed Number

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) ON 4-13-11 after talking with psychologist long and internal Affairs, it had been revealed that there had been sexual abuse by staff towards me, which is a violation of policy 130.1 as well as state law. I'm not satisfied with the informal response.

BKCC

APR 22 '11

Grievance Office

What action do you want taken? policy and procedure to be followed, and why was I not protected against such abuse, when it has been a ongoing problem within the VADOC.

Grievant's Signature:

Ophelia De'lonta

Date:

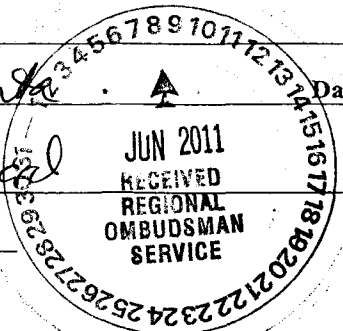
4-20-11

Warden/Superintendent's Office:

S. Meinhold

Date Received:

4-22-11



VIRGINIA DEPARTMENT OF CORRECTIONS
Informal ComplaintEffective Date: December 1, 2010
Operating Procedure 866.1**BKCC****Informal Complaint**
Buckingham Correctional Center

APR 14 '11

Grievance Office

INSTRUCTIONS FOR FILING: Briefly write your issue in the space provided on the Informal Complaint form, preferably in ink. Only one issue per Informal Complaint. Place your complaint in the Grievance Mail Box. A receipt is issued within 2 working days from the date received if the informal complaint is not returned during intake. If no response is received within 15 calendar days, you may proceed in filing a regular grievance. You may utilize your receipt as evidence of your attempt to resolve your complaint.

Name Ophelia DeLonta, # 1014124 Housing Unit N2 106

Briefly explain the nature of your complaint (be specific):

on 4-13-11 after talking with psychologist Lang and internal affairs, it had been revealed that there had been sexual abuse by Staff towards me, which is a violation of policy 130.1 as well as state law

Offender Signature Ophelia DeLonta Date 7-13-11**Offenders - Do Not Write Below This Line**Date Received: 4-14-11 BKCC- 11-INF-00525Response Due: 4-23-11 Assigned to: Major Davis

Action Taken/Response:

Matter being investigated by SA- Watson

BKCC
APR 22 '11
Grievance Office**BKCC**

APR 19 '11

Grievance OfficeRespondent Signature M. C. O. O. O.Printed Name and Title M. C. O. O. O.

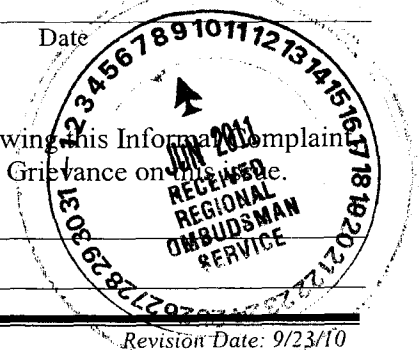
Date

WITHDRAWAL OF INFORMAL COMPLAINT:

I wish to voluntarily withdraw this Informal Complaint. I understand that by withdrawing this Informal Complaint I will not receive a response nor will I be able to file any other Informal Complaint or Grievance on this matter.

Offender Signature: _____ Date: _____

Staff Witness Signature: _____ Date: _____



Revision Date: 9/23/10



OFFENDER GRIEVANCE RESPONSE LEVEL II

O. Delonta	1014174	Buckingham	BKCC-11- REG-00058
Offender Name	Number	Facility	Log Number

LEVEL II: REGIONAL DIRECTOR, HEALTH SERVICES DIRECTOR, OR CHIEF OF OPERATIONS FOR OFFENDER MANAGEMENT SERVICES RESPONSE (To be completed and mailed within 20 calendar days.)

Your grievance appeal has been reviewed along with the response from the Level I respondent and your original complaint.

Based on the information provided, I am upholding the decision of the Level I respondent, which has determined that your grievance is **unfounded**.

Additional investigation has revealed that per Personal Property staff at Buckingham Correctional Center, you did not have black polyester panties or an underwire bra in your possession when you arrived to Buckingham. The bra was discovered during a strip search and the panties were found during a cell search. Further, you were unable to provide documentation of authorization or approval. Therefore, the items were confiscated in accordance with policy. I find no violation of policy.

In accordance with Operating Procedure 866.1, Offender Grievance Procedure, this is your last level of appeal. You have exhausted all administrative remedies.

Charlene Davis for D. K. Washington
Regional Director, Health Services Director, or Chief of Operations for
Offender Management Services

4-26-11
Date

EXHIBIT C



VIRGINIA DEPARTMENT OF CORRECTIONS

866.1 A-6

**Offender Grievance Response -
Level I**

DOC Location: Buckingham Correctional Center

Report Generated by Meinhard, Stacy

Report run on 3/14/2011 at 11:56 AM

Offender Name	DOC#	Location	Grievance Number
Stokes, Michael A	1014174	Current Buckingham Correctional Center	BKCC-11-REG-00058
Housing		Filed Buckingham Correctional Center	
B-1-113-B			

LEVEL I: WARDEN/SUPERINTENDENT'S RESPONSE (To be completed and mailed within 30 calendar days)

You state in your grievance that you purchased a black underwire bra and panties from JC Penny while housed at Powhatan Correctional Center and upon your arrival here to Buckingham Correctional Center your inventory included this black bra and several pair of personal panties.

As a result of this grievance, you would like your bra and panties or replaced with the same.

On 3/9/2011, you were strip searched before your scheduled interview with a reporter which took place in our Administration Building. During this strip search you were found to have an underwire bra on; this was brought to the attention of our Major which resulted in your cell being searched. After a search of your cell, a underwire bra and polyester panties were confiscated.

On 3/10/2011, you were provided a notification form for the confiscation of 1 black bra size 42 C with wire and 1 pair of polyester black panties which were both deemed unauthorized.

According to the procedure set forth for you, the items confiscated are unauthorized. Bras with underwire in them would be considered a security risk and you have only been approved to obtain cotton panties.

Per Operating Procedure 802.1/Offender Property/Page 5 –

Any disallowed property should be properly documented by completing *Property Request Add/Drop* (see Attachment 4), *Property Disposition* (see Attachment 6), and *Notification of Confiscation of Property* (see Attachment 7) as needed and placing them in the offender's personal property file.

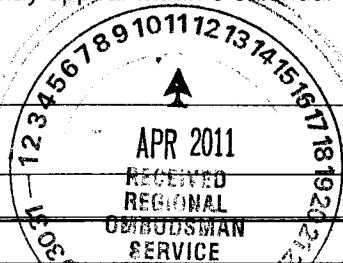
After thoroughly reviewing the information in response to your complaint and the Procedure the issue, your grievance is unfounded. Staff acted in accordance with policy and procedure.

If you are dissatisfied with the Level I response, you may appeal within 5 calendar days to:

3521 Woods Way

State Farm, VA 23160

Department: Regional Director



Date

4/4/11

I wish to appeal the Level I response because:

my Bra and panties were approved to be ordered, in which

the items in question remained in my possession for over 2 years. per policy 802.1 do not affect me. Because my property was pre approved. if there is a question of breach of security, those that violated should be held accountable for these actions. and correct the matter by replacing the

Offender Signature

Date

items, do to no fault of the inmate.

Opshin Delant
4-6-11



INDIANA DEPARTMENT OF CORRECTIONS
Regular Grievance

Effective Date: November 1, 2010
Operating Procedure #866.1 Attachment 1

REGULAR GRIEVANCE

BKCC-11-REG-00058

Log Number: _____

De'lonta	Ophelia	1014174	B-1	113
Last Name	First	Number	Building	Cell/Bed Number

WHAT IS YOUR COMPLAINT? (Provide information from the informal process: Attach Informal Complaint or other documentation of informal process.) I Perchased Blk Bra underwire and panties from J.C. Penney while housed at Poughatam Corr Ctr. I was transfered here Buckingham Corr Ctr. upon my inventory was a Blk Brae and several pair personal Panties. this was April 5, 2010 I have been to medical appt. where my property had to be inventoried Several different occasions. Same Bra and panties.

BKCC

MAR 11 '11

Grievance Office

What action do you want taken? I Want my Bra and Panties, or replaced With Same, and Why only one pair of panties were Confiscated when I have other color panties. Due to No fault of my own, I Should not be punished for Security mistakes and over sites, especially with the Disorder I suffer from.

Grievant's Signature:

Ophelia De'lonta

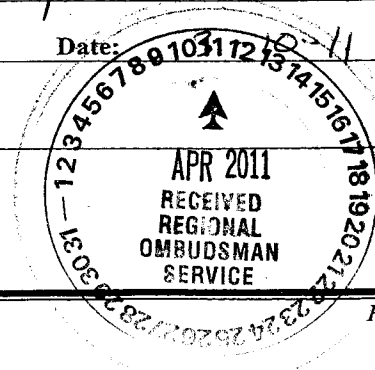
Date:

Warden/Superintendent's Office:

S. Meinhard

Date Received:

3-11-11





VIRGINIA DEPARTMENT OF CORRECTIONS
Notification of Confiscation of Property

Effective Date: August 1, 2009
Operating Procedure 802.1 Attachment #7

Offender Name: M. Stokes / O. Delonta Number: 1014174 Housing: B1-113
Facility: BKCC Date: 3/10/11

This is to notify you that the below listed personal property is contraband/unauthorized for possession by you and is subject to confiscation by the facility. List/describe item(s):

Item	Reason for Seizure	Current Location
1 Black bra - sz. 42C w/ wire	Unauthorized	<input checked="" type="checkbox"/> Storage <input type="checkbox"/> Investigator
1 pr. Black polyester panties	Unauthorized	<input checked="" type="checkbox"/> Storage <input type="checkbox"/> Investigator
		<input type="checkbox"/> Storage <input type="checkbox"/> Investigator
		<input type="checkbox"/> Storage <input type="checkbox"/> Investigator
		<input type="checkbox"/> Storage <input type="checkbox"/> Investigator
		<input type="checkbox"/> Storage <input type="checkbox"/> Investigator

You may appeal through the Offender Grievance (Complaint for Community facilities) Procedure. To be considered, your written Offender Grievance (Complaint) must be submitted within 7 days of receipt of this notice. This confiscation notification completes the informal process of the Offender Grievance Procedure. You must provide staff with evidence of your ownership of any items you claim should not be confiscated. If you are charged with an infraction under the Offender Disciplinary Procedure and found guilty, your appeal rights are as outlined in the Offender Disciplinary Procedure.

I have received a copy of this notice of confiscation and my right to appeal.

Offender Signature: Offender refused to report Date: to property per CIO

Property Officer: CIO of Conway Date: 3/10/11

Second Staff Member if offender refuses to sign: to CBA Jones

☐ Charge Written Offense Code: Offense Title:

Reporting Officer: Date Written:

ITEMS FOR WHICH THE OFFENDER HAS ESTABLISHED OWNERSHIP (List items below and attach any documentation):

<input type="checkbox"/> Returned	<input type="checkbox"/> Returned
<input type="checkbox"/> Returned	<input type="checkbox"/> Returned
<input type="checkbox"/> Returned	<input type="checkbox"/> Returned

Those items authorized for possession by the offender should be returned to him. The offender should be given a *Property Disposition* (Attachment 6) to complete for those items for which ownership has been established but which the offender is not authorized to have in his possession. The offender must return the completed *Property Disposition* within 5 days. If the offender fails to complete and return *Property Disposition* within 5 days, the property will be confiscated and disposed of by the facility.

The offender should sign below for receipt of *Property Disposition*:

Offender Signature: Date: MAR 11 '11

Witness Signature: **Grievance Office**

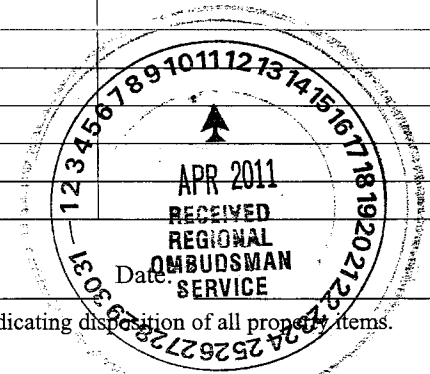
ITEMS FOR WHICH THE OFFENDER HAS NOT ESTABLISHED OWNERSHIP OR DID NOT APPEAL CONFISCATION WITHIN TIME LIMITS OR REFUSED TO DESIGNATE A METHOD OF DISPOSAL

These items have been confiscated and disposed of as follows:

Describe Item(s)	Method of Disposal	Date of Disposal

Staff Disposing of Property:

Printed Name: Signature: Date: APR 2011



A copy will be provided to the offender when the property is seized. Another copy will be provided indicating disposition of all property items. The original will be maintained in the offender's Personal Property file.